# FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

# RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

PW FORM

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the <a href="INVENTION ENTITLED">INVENTION ENTITLED</a> SOUND RADIATING

DINOCIONE	, ACCUSTIC .	ROOM AND SOUND	SCATTERI	NG METHOD			
the	specification of whi	ch ( <u>CHECK</u> applicable <u>B</u>	OX(ES))			***************************************	***************************************
	Is attached heret						
	B. 🔲 was filed on			as U.S. Application No.			
		PCT International A		No. PCT/ /	on		
and (if applicable	to U.S. or PCT ap	plication) was amended	on				
above. I acknowle	I have reviewed and u	nderstand the contents of the	ie above identific	ed specification, including the ci I to patentability as defined in 3	laims, as am	ended by any amend	ment referred to
foreign priority beni	efits under 35 U.S.C. 1	119(a)-(d) or 365(b) of any fo	oreign applicatio	n(s) for patent or inventor's cer	tificate, or 36	5(a) of any PCT Inter	mational
Application which of	lesignated at least one	e other country than the Unit	ted States, listed	i below and have also identified	below any fo	preion application for	patent or inventor's
the application on	International Application	on, filed by me or my assigned, or (2) if no priority claimed	ee disclosing the	e subject matter claimed in this	application a	nd having a filing date	e (1) before that of
: application on	which phoney is claime	u, or (2) if no phorny claimed	u, belole the min	ig date of this application:			
PRIOR FOREIG	N APPLICATION(S	<u>5)</u>		Date first Laid-	Date Pa	atented	
<u>Number</u>	Country	Day/MONTH/Y	ear Filed	open or Published	or	Granted Priori	ity NOT Claimed
2000-213324	Japan.	13/7/200	0				
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fmore prior forei	gn applications, X be	ox at bottom and continue	on attached pa	age.			
Except as noted be	elow, I hereby claim do	mestic priority benefit under	r 35 U.S.C. 119(	e) or 120 and/or 365(c) of the in	ndicated Unit	ed States application	s listed below and
amplication is in ad-	applications listed abordition to that	ve or below and, if this is a c	continuation-in-p	art (CIP) application, insofar as ne duty to disclose all informatio	the subject	matter disclosed and	claimed in this
defined in 37 C.F.F	R. 1.56 which became	available between the filing	date of each su	ch prior application and the nati	n known to r onal or PCT	ne to de material to pa international filing dat	atentability as
application:							
PRIORILS	OVICIONIAL NONE	PROVISIONAL AND/OR	DCT ADDI IC	ATION(S)	C4=4	Duinui	in NOT Object
Application No.	(series code/seri	PROVISIONAL AND/OR	NTH/Year File		Status	d, patented	ity NOT Claimed
FF PROGRESH NO.	. (Series Code/Serie	ai iio.)	in in iteal Fire	<u>pending,</u>	apangone	u, patemeu	
September 1							
56							
freeby declare th	at all statements mad	e herein of my own knowled	ge are true and	that all statements made on info	ormation and	belief are believed to	be true; and
Section 1001 of Til	tia 18 of the United St	with the knowledge that will	iiui iaise stateme fui false stateme	ents and the like so made are pents may jeopardize the validity	unishable by	tine or imprisonment	, or both, under
£ :							
And I hereby appo	int Pillsbury Winthrop	LLP, Intellectual Property Gr	roup, 725 South	Figueroa Street, Suite 2800, Lo	os Angeles, (	California 90017-5406	i, telephone
number (213) 488-	·7100 (to whom all cor	nmunications are to be direc	ited), and the be	low-named persons (of the same of the same	ne address) i	ndividually and collec	tively my attorneys
them to delete nan	ppiication and to traits	persons no longer with their	r firm and to act	and rely on instructions from an	id communic	ate directly with the	iereby authorize
						ato an oony mor are	
person/assignee/a	ttomev/firm/ organizat	ion who/which first sends/se	int this case to the	nem and by whom/which I here!	by declare th	at I have consented a	ifter full disclosure
to be represented	ttomey/firm/ organizat unless/until l instruct t	ion who/which first sends/se he above Firm and/or a belo	ent this case to the w attorney in wr	nem and by whom/which I herel iting to the contrary.	by declare th		
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## Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

#### PATENT LAWS 35 U.S.C.

### §102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
  - he did not himself invent the subject matter sought to be patented, or
- before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### §103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

<sup>\*</sup> Six months for Design Applications (35 U.S.C. 172).